IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 22491 of 2005

Between:

P. Shiva Raj

..... PETITIONER

AND

The Government of A.P.,

rep by Secretary, Revenue Department,

Secretariat Buildings, Hyderabad and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 2nd respondent in not receiving the document and registering the same in respect of the agricultural land in Sy.No.375 to an extent of Ac.0.24 guntas, situated at Kongara Khurd-A village, Maheshwaram Mandal, Ranga Reddy District, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

It is stated that the petitioner is the absolute owner of the land mentioned in the writ petition and he has been in possession and enjoyment of the same and the revenue authorities have also recognized his title and possession and issued pattadar pass book and title deed in respect of the said land. It is further stated that the 1st respondent, vide his proceedings in Lr.W.B./Prot/2004, dated 04.09.2004, directed the 2nd respondent not to register any sale transactions of the list of survey numbers annexed to the proceedings, in which Sy.No.375 is also mentioned.

The learned Government Pleader for Revenue, on instructions, submitted that the Government has not issued any Notification under Section 22-A (1) of the Registration Act, prohibiting the registration of the documents in respect of the lands in question. On issuance of such notification, the 2nd respondent can refuse to receive the documents for registration, but not as otherwise.

In view of the same, the 2nd respondent is hereby directed to receive the document and register the same as and when the petitioner presented the same for registration, and for any reason, if the document cannot be registered, he has to pass appropriate orders and communicate the same to the petitioner, within two weeks from the date of presentation of the said document.

With the above observations, the Writ Petition is allowed. No order as to costs.

_____

V.ESWARAIAH,J

Dated: 26.10.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr